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SENATE BILL 5721

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State of Washington

54th Legislature

1995 Regular Session

By Senator West

Read first time 02/02/95. Referred to Committee on Ecology & Parks.

1 AN ACT Relating to exempting recreational vehicles from vehicle  
2 emissions testing; and amending RCW 70.120.010 and 70.120.190.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 70.120.010 and 1991 c 199 s 201 are each amended to  
5 read as follows:

6 Unless the context clearly requires otherwise, the definitions in  
7 this section apply throughout this chapter.

8 (1) "Department" means the department of ecology.

9 (2) "Director" means the director of the department of ecology.

10 (3) "Fleet" means a group of fifteen or more motor vehicles  
11 registered in the same name and whose owner has been assigned a fleet  
12 identifier code by the department of licensing.

13 (4) "Motor vehicle" means any self-propelled vehicle required to be  
14 licensed pursuant to chapter 46.16 RCW, but does not include a vehicle  
15 primarily designed and used for recreational camping, travel, or  
16 seasonal use.

17 (5) "Motor vehicle dealer" means a motor vehicle dealer, as defined  
18 in RCW 46.70.011, that is licensed pursuant to chapter 46.70 RCW.

1 (6) "Person" means an individual, firm, public or private  
2 corporation, association, partnership, political subdivision of the  
3 state, municipality, or governmental agency.

4 (7) The terms "air contaminant," "air pollution," "air quality  
5 standard," "ambient air," "emission," and "emission standard" have the  
6 meanings given them in RCW 70.94.030.

7 **Sec. 2.** RCW 70.120.190 and 1991 c 199 s 210 are each amended to  
8 read as follows:

9 (1) Motor vehicle dealers selling a used vehicle not under a new  
10 vehicle warranty shall include a notice in each vehicle purchase order  
11 form that reads as follows: "The owner of a vehicle may be required to  
12 spend up to (a dollar amount established under RCW 70.120.070) for  
13 repairs if the vehicle does not meet the vehicle emission standards  
14 under this chapter. Unless expressly warranted by the motor vehicle  
15 dealer, the dealer is not warranting that this vehicle will pass any  
16 emission tests required by federal or state law."

17 (2) The signature of the purchaser on the notice required under  
18 subsection (1) of this section shall constitute a valid disclaimer of  
19 any implied warranty by the dealer as to a vehicle's compliance with  
20 any emission standards.

21 (3) The disclosure requirement of subsection (1) of this section  
22 applies to all motor vehicle dealers located in counties where state  
23 emission inspections are required.

24 (4) This section applies only to motor vehicles as defined in RCW  
25 70.120.010.

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